

From: Filippo Toscano
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To: UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
UNITED STATES COURTHOUSE
1 Courthouse Way Suite 2300
BOSTON, MA 02210

N Weymouth, May 13, 2008

FILIPPO TOSCANO,)
Plaintiff)
V) C.A. No. 04-12474-DPW
)
FLEET BOSTON FINANCIAL,)
Defendant)

Dear Honorable Judge Douglas P. Woodlock I received a letter dated May 8, 2008 from Edwards Angell Palmer & Dodge LLP signed by attorney at law Alice A. Kokodis. On the same day I found a message on my home voice message machine by attorney Alice A. Kokodis stating that she represents Fleet Boston Financial. She wanted me to call her back to try and sort things out. I did call her the same day (May 8, 2008.) Among other things attorney Alice A. Kokodis asked me few questions. They are as follows:

- 1 Mr. Toscano you are asking \$ 10 000 000. (ten million dollars damages) it is high, try to reconsider this.
- 2 Are you looking to go back to work at Bank Of America?
I replied: I am disabled and I cannot work any place at the present time.
- 3 If you like Mr. Toscano we can "Settle things" in a conference room that way we can end things quickly. It would be good for you and for us.
I replied : I would consider such a proposal if your offer was reasonable
- 4 Attorney Kokodis offered me her assistance if I do not understand something or I can call her and meet with her at her office and solve and explain things.

As mentioned above, on May 8th I received a packet from attorney Kokodis. A copy of this packet was mailed to the court as well. In this packet she states that she is asking for the dismissal of Age and Disability Discrimination among other things that I don't fully understand. Your Honorable Judge Douglas P. Woodlock, please keep in mind that your court has all my doctors papers where they state very clear that I cannot

go back to work to a "HOSTILE ENVIRONMENT AND VERY STRESSFULL WORK PI ACF" it is dangerous for my health. See the letters from the following doctors.

1. George Gales, M.D. dated 4-19-2002 (work related stress syndrome).
2. George Gales, M.D. dated 9-14-2004 (chest pain triggered by emotional stress).
3. George Gales, M.D. dated 2-10-2005 (cannot perform stressful work).
4. Lisa Antonelli, M.D. dated 1-31-2005 (emotional distress, symptoms are frequent severe, and in my mind disabling.)
5. Laurie Sherwood, LICSW (... emotional handicaps ...)
6. Laurie Sherwood, LICSW (... depression, anxiety and emotional distress resulting from harassing work environment)
7. Michael Braverman, M.D. dated 6-23-2003 (see Disability + Causality sections.)
8. Richard Fraser, M.D. dated 10-18-2003 (see pages 4 and 5 the combination of stress and exertional work activity ...)

9. Quincy Medical Center Cardiac Rehabilitation on December 5, 2001 gave discharge summary to my primary care doctor George Gales stating among other things that "Filinno was unable to attend any of the eight educational classes due to his work schedule.

Your Honor the reason why I couldn't finish was because my former boss would not grant me the time off that I needed to complete my rehab. At the beginning she said that she would work with me once I went back everything changed. Your Honor she basically put me in a bad position.

On February 17, 2002 another "History of Present Illness" from Quincy Medical Center stated among other things "The patient has been under significantly increased stress recently, particularly regarding his job at Fleet Bank."

Honorable Judge Douglas P. Woodlock as you can see from these partial statements from all the doctors mentioned above attorney Alice A. Kokodis is twisting the evidence and the actual events. The Emotional Stress in an Hostile Work Environment is the real cause of my total disability and adding all the other illness of mine complicated my life even more.

Please keep in mind that when I was hired by Fleet Bank, I was hired under the ADA. Therefore, they all knew I had limitations!

For this reason I am filing an opposition to the defendants motion for dismiss and I ask for an indefinite extension of time because your court clerk is looking for a pro-bono Counsel in order to start discussions for settlement with attorney Alice A. Kokodis representing Fleet Boston Financial. In addition I should be reinstated with the LTD after all these evidence, because I have exhausted all avenue and Fleet Bank with Liberty Mutual abused of their power and terminated my employment and my benefits.

Thank you very much for your help and your time and understanding.
Respectfully,

Filinno Toscano

